

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 31765 of 2004(F)

PETITIONERS:

**1. E.C.RASHEED, S/O.CAANTH MOHAMMED RAWTHER
UMMASALMA MANZIL, ENNAPPADAM, PALLATHERY,
PALAKKAD.**

**2. R.VIJAYAN, "LAKSHMI", MILMA ROAD,
KALLEPPULLY, PALAKKAD.**

**BY ADV. SRI.R.D.SHENOY
SRI.S.VINOD BHAT
SRI.T.R.RAJAN**

RESPONDENTS:

1. THE TASHILDAR, PALAKKAD.

**2. THE VILLAGE OFFICER,
PUDUSSERY(WEST)VILLAG, PALAKKAD DIST.**

**3. THE GEOLOGIST,
DEPARTMENT OF MINING AND GEOLOGY, PALAKKAD.**

**4. A.IBRAHIM, S/O.ALAVI,
NEHRU COLONY, KUNNATHUR MEDU,
KALMANDAPAM, PALAKKAD.**

**BY ADV. SRI.O.RAMACHANDRAN NAMBIAR
SRI.GEEN T.MATHEW
BY GOVERNMENT PLEADER SMT.K.R.DEEPA**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C) NO.31765/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE SALE DEED NO.2810/99 OF PALAKKAD S. R.O. DT. 29.8.03.

EXT.P2:- COPY OF THE ORDER NO.A2.17780/04 DT. 13.9.04 ISSUED BY THE 1ST RESPONDENT.

EXT.P3:- COPY OF THE ORDER NO.45/DOP/2980/2004/04-05/A1 DT.14.9.04 OF THE 3RD RESPONDENT.

EXT.P4:- COPY OF THE 1ST PAGE OF THE APPEAL MEMORANDUM IN AS. NO.194/95 ON THE FILES OF THIS HONOURABLE COURT.

EXT.P5:- COPY OF THE PETITION DT. 16.10.04 FILED BY THE PETITIONERS BEFORE THE 1ST RESPONDENT.

/TRUE COPY/

tss

KURIAN JOSEPH J.

W.P.(C) No.31765 of 2004

Dated 6th July, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

- (i) "Call for the records leading to Exts.P2 and P3 orders and set aside the same by issuing a writ in the nature of certiorari or any other appropriate writ order or direction;
- (ii) Issue a writ in the nature of mandamus or any other appropriate writ order or direction commanding the 1st respondent to take appropriate action upon Ext.P5 petition within a time limit to be fixed by this Hon'ble Court."

There will be a direction to the first respondent to consider Ext.P5 with notice to the petitioners, 4th respondent and other affected parties, if any, and pass appropriate orders thereon in accordance with law, within a period of three months from the date of receipt of a copy of the judgment.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

tgs

OP NO.

2

KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 6th July, 2007.